

**STATE OF ILLINOIS  
ILLINOIS LABOR RELATIONS BOARD  
STATE PANEL**

**Minutes of the State Panel Meeting  
Held on May 16, 2013**

**I. OPENING OF MEETING 11:00 A.M.—160 North LaSalle Street, S-400, Chicago, Illinois**

**II. PRESENT**

John Hartnett, Chairman of the Board; Paul Besson, Member of the Board; James Brennwald, Member of Board; Michael Coli, Member of the Board; Albert Washington, Member of the Board; Melissa Mlynski, Executive Director; Jerald S. Post, General Counsel; and staff members.

**III. APPROVAL OF MINUTES OF REGULAR MEETING HELD April 16, 2013**

Chairman Hartnett called for approval of the minutes of the April 16, 2013 meeting. Member Washington moved to approve the minutes. Member Besson seconded. The Board passed the motion unanimously, by a voice vote.

**IV. ADMINISTRATIVE MATTERS**

Chairman Hartnett asked Executive Director Mlynski to present the State Panel administrative actions report for the period of time from April 1 through 30, 2013. She presented the report and summarized its highlights. The Board examined the report and discussed it.

**V. LEGISLATIVE AND FISCAL REPORTS**

Executive Director Mlynski reported various legislative issues. She then presented the fiscal report, reviewing in detail the general ledger sheet and the disbursement record. The Board then discussed and questioned various aspects of the fiscal report.

**VI. BOARD ACTIONS**

**1. Case No. S-CB-09-009**

**Pace South Division/ Amalgamated Transit Union, Local 1028**

Chairman Hartnett asked General Counsel Post to call the case. General Counsel Post called the case and asked Counsel Kazanjian to present it. Counsel Kazanjian stated that on December 17, 2012, Administrative Law Judge (ALJ) Anna Hamburg-Gal issued a recommended decision and order (RDO) finding that the Respondent did not violate Section 10(b)(4) and (1) of the Act as the charge alleged. Counsel Kazanjian presented and discussed the Charging Party's exceptions and the Respondent's responses. He then recommended that the Board affirm the ALJ's recommendation. After discussion, Member Coli moved to accept the ALJ's recommendation. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

**2. Case No. S-RC-12-103**

**Service Employees International Union, Local 73/ Village of Libertyville**

Chairman Hartnett called the case, noting that no party filed exceptions to ALJ Hamburg-Gal's RDO, and asked whether the Board wished to review the decision on its own motion. The Board declined to do so.

**3. Case Nos. S-CA-12-073, S-CA-12-083, and S-CA-12-122**

**Service Employees International Union, Local 73 and American Federation of State, County and Municipal Employees, Council 31 and International Brotherhood of Teamsters, Local 700/ Illinois State Toll Highway Authority**

Chairman Hartnett called the case, noting that no party filed exceptions to ALJ Stevens' RDO, and asked whether the Board wished to review the decision on its own motion. The Board declined to do so.

**4. Case Nos. S-CA-13-002 and S-CA-13-022**  
**Jovonne Smythe/ State of Illinois, Central Management Services**

Chairman Hartnett called the case, noting that no party filed exceptions to ALJ Hamburg-Gal's RDO, and asked whether the Board wished to review the decision on its own motion. The Board declined to do so.

**5. Case No. S-CA-13-040**  
**American Federation of State, County and Municipal Employees, Council 31/ State of Illinois, Central Management Services**

Chairman Hartnett asked General Counsel Post to call the case. General Counsel Post called the case and asked Counsel Kazanjian to present it. Counsel Kazanjian stated that on April 11, 2013, the Acting Executive Director issued a dismissal. The allegations asserted that the Respondent violated Section 10(a)(1) and (4) of the Illinois Public Labor Relations Act. An appeal was filed by the Charging Party. After discussion, Counsel Kazanjian recommended that the dismissal be reversed. After discussion, Member Coli moved to reverse the dismissal. Member Washington seconded the motion and the Board passed it unanimously.

**6. Case No. S-CA-13-073**  
**Julius Perryman/ State of Illinois, Central Management Services**

Chairman Hartnett asked General Counsel Post to call the case. General Counsel Post called the case and asked Counsel Kazanjian to present the issues concerning the dismissal. Counsel Kazanjian stated that an Acting Executive Director's dismissal issued on April 3, 2013. He presented and discussed Charging Party's appeal, alleging that Respondent violated Section 10(a) of the Illinois Public Labor Relations Act. He then recommended that the Board affirm the dismissal. After discussion, Member Washington moved to accept the Acting Executive Director's dismissal. Member Brennwald seconded the motion and the Board passed it unanimously.

**7. Case No. S-CB-13-031**  
**Julius Perryman/ International Brotherhood of Teamsters, Local 700**

Chairman Hartnett asked General Counsel Post to call and present the case. General Counsel Post stated that on April 5, 2013 the Executive Director issued a dismissal with Charging Party filing an appeal alleging that Respondent violated Section 10(b) of the Illinois Public Labor Relations Act. After discussion, Counsel Kazanjian recommended that the Board affirm the Executive Director's dismissal. Member Besson made a motion to accept the dismissal. Member Brennwald seconded the motion and the Board passed it unanimously.

**8. Case No. S-CB-13-004**  
**Robert Smith/ American Federation of State, County and Municipal Employees, Council 31**

Chairman Hartnett asked General Counsel Post to call and present the case. General Counsel Post stated that on January 30, 2013 the Executive Director issued a dismissal with Charging Party filing an appeal alleging that the Respondent violated Section 10(b)(1) of the Illinois Public Labor Relations Act. After discussion, he recommended that the Board accept the Executive Director's dismissal. Member Washington made a motion to accept the dismissal. Member Besson seconded the motion and the Board passed it unanimously.

**9. Case No. S-RC-11-122**  
**American Federation of State, County and Municipal Employees, Council 31/ State of Illinois, Central Management Services**

General Counsel Post presented and discussed the Appellate Court Remand Order that issued on April 30, 2013 remanding the certification in case S-RC-11-122. He recommended that the Board issue a board decision and a revocation of certification. After discussion, Member Coli made a motion to accept General Counsel Post's recommendation to issue a board decision and a revocation of certification. Member Besson seconded the motion and the Board passed it unanimously.

**VII. OTHER BOARD MATTERS**

After a short discussion regarding whether there was a need for executive session, the Board concluded that it was unnecessary at this time.

**VIII. ADJOURNMENT**

Chairman Hartnett called for a motion to adjourn. Member Washington made a motion to adjourn the meeting, and the Board passed it unanimously, by a voice vote.

**Adopted and approved by the Chairman and Members of the State Panel of the Illinois Labor Relations Board, in Springfield, Illinois, this 11<sup>th</sup> day of June, 2013.**